

E-FILED 9/17/2007

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

**UNITED STATES OF AMERICA and
CRAIG HARBIDGE, Revenue Officer,**

Petitioners,

v.

PAUL J. SHOLTZ,

Respondent.

No. C-07-4234-HRL

~~proposed~~
**ORDER TO SHOW CAUSE
RE: ENFORCEMENT OF
INTERNAL REVENUE
SERVICE SUMMONSES**

Good cause having been shown by the United States upon its Application For Entry of Order To Show Cause Re: Enforcement of Internal Revenue Service Summonses, it is hereby **ORDERED** that respondent appear in person before this Court on the 27th day of November, 2007, at 10 a.m., in Courtroom No. 2, 5th Floor, United States District Court, 280 South First Street, San Jose, California, and then and there show cause, if any he has, why he should not be compelled to appear and provide documents and testimony as required by the summonses heretofore served upon respondent as alleged and set forth in particular in the petition; and it is further

ORDERED that a copy of this Order to Show Cause Re: Enforcement of Internal Revenue Service Summonses be served upon said respondent in accordance with Rule 4(c)(2) of the Federal Rules of Civil Procedures at least thirty-five (35) days before the return date of this Order above specified; and it is further

1 **ORDERED** that within twenty-eight (28) days before the return date of this Order, the
2 respondent may file and serve a written response to the Order To Show Cause Re: Contempt,
3 supported by appropriate affidavit(s) or declaration(s) in conformance with 28 U.S.C. Subsection
4 1746, as well as any motions he desires to make; that the petitioner may file and serve a written
5 reply to such response, if any, within fourteen (14) days before the return date of this Order; that
6 all motions and issues raised by the pleadings will be considered on the return date of this Order,
7 and only those issues raised by motion or brought into controversy by the responsive pleadings
8 and supported by affidavit(s) or declaration(s) will be considered at the return of this Order.

9 **ORDERED** this 17th day of September, 2007, at San Jose,
10 California.

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UNITED STATES MAGISTRATE JUDGE
HOWARD R. LLOYD